

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Martensson et al.

Serial No.:

Art Unit: 2608

Filed:

Examiner: Trost, W.

Title: Cordless Telephone Arrangement

Attorney Docket No.: 200-004346-US (C03)

Commissioner of Patents and Trademarks

Washington DC 20231

Preliminary Amendment

Sir:

IN THE SPECIFICATION:

In page 1 following the Title in line 1, please insert the following:

CROSS REFERENCE TO RELATED APPLICATION

This application is a continuation of U.S. Application Serial No. 08/665,590, filed June 18, 1996, which in turn is a continuation of 08/308,950, filed September 20, 1994, now abandoned, which in turn is a continuation of U.S. Application Serial No. 08/003,785, filed January 13, 1993, now abandoned.

IN THE CLAIMS:

Please cancel Claims 1-11 without prejudice.

Please add the following claim(s):

12. In a communication system comprising a wireless telephone and a base station capable of bidirectional wireless communications with said wireless telephone; a method for placing a telephone call comprising steps of:

in response to an input from a user of a wireless telephone, initiating the placement of a telephone call in accordance with signaling information exchanged between said telephone and said base station; and

completing the placement of the telephone call after the base station receives audio voice information transmitted from said wireless telephone by arranging the base station to interpret the audio voice information using audio recognition means, and wherein the audio voice information includes an identification of a telephone number to be called.

13. A system as in Claim 12 wherein the audio voice information is spoken by the user directly into said telephone.

14. A system as in Claim 12 wherein the step of initiating is fully completed before the user enters the audio voice information into said wireless telephone.

15. A system as in Claim 12 wherein the step of completing comprises said base station using voice recognition in determining the telephone number based upon the audio voice information transmitted from said wireless telephone to said base station.

16. A system as in Claim 12 wherein the audio voice information is transmitted from said wireless telephone to said base station as audio voice sound signals.

REMARKS

Claims 12-16 are fully supported by the original Specification and drawings.

Claims 12-16 modified versions of claims 16-20 in the parent application, which were appealed unsuccessfully. In the Decision On Appeal in the parent case at page 7 through page 8 first full paragraph, the Board of Patent Appeals and Interferences indicates that the Applicants arguments were not persuasive because they were not commensurate with the scope of the claims. New claim 12 has been modified to make the arguments commensurate with the scope of the claims.

The decision on appeal did not decide the issue of obviousness of claims 12-16 since claim 12 now includes the limitation "by arranging the base station to interpret the audio voice information using audio recognition means". This limitation makes the claims commensurate with the argument presented hereafter. The Board in their decision relating to claims 16-20 in the parent application deemed this argument non-persuasive since there was no basis in the language of claim 16 to support the argument. Claim 12 includes language providing a proper basis for the argument which follows and therefore raises a new issue for consideration by the Examiner.

Claims 12 - 16 as now drawn are believed to be patentable for the reasons urged in Applicants brief in the parent application. In Claim 12, the placement of the telephone call first requires signaling information to be exchanged between the telephone and the base station. The exchange of signaling information is in response to an input from a user of the telephone. The second step completes the placement of the telephone call. Audio voice information is transmitted from the telephone to the base station. The audio voice information includes an identification of a telephone number to be called. This audio information is received and used by the base station in order to complete the placement of the telephone call. Thus, with Applicants' invention, the placement of a telephone call has two steps. The two steps comprise 1) initiating placement of the call and 2) completing placement of the call.

06073480-050401

The first step initiates the call in accordance with signaling information exchanged between the telephone and the base station. The second step completes the call after the base station receives audio voice information. Thus, with the present invention, a user can press a button on the radio telephone handset which results in the first step being completed; initiating placement of the call with signaling information being exchanged between the telephone and the base station. Then, the user merely speaks into the telephone handset, this audio voice information is transmitted to the base station, and the base station uses this audio voice information, using a voice recognition system, to complete placement of the call. There is no disclosure or suggestion in Burke et al. or Gerson et al. of replacing the data packets in Burke et al. with audio voice information and having the base station use voice recognition to complete placement of the call.

There is no suggestion in the cited art of the desirability, and thus the obviousness, of putting the speech recognition system of Gerson et al. in the base station of Burke et al. and changing the method in Burke et al. from sending its data packets to sending audio voice information. What would be the motivation? If you had an apparatus such as that disclosed in Gerson et al. then you would not need to use the invention as claimed in claim 12. Applicants discovered that there was insufficient processing power in a radio terminal to satisfactorily recognize speech. This became apparent to Applicants with the decreasing size of radio telephone handsets and the corresponding reduction in size of their battery packs. Therefore, with the present invention speech is directed to the base station where sufficient processing could be provided in order to recognize the speech and thereby dial digits to make a telephone call on the network.

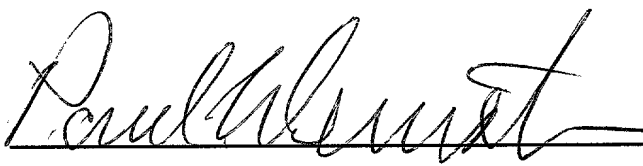
Even if a skilled person were to combine Burke et al. and Gerson et al. all that he would arrive at would be a remote terminal (mobile transceiver) which could recognize speech, send data packets over the air comprising information regarding the number to be dialed, the reception of those data packets at the fixed transceiver, and the interpretation of them into DTMF tones for sending out on the fixed network.

That is not what is claimed in claim 12. The features of Claim 16 - 20 are not disclosed or suggested in the art of record. Therefore, Claims 12 - 16 are patentable and should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call Applicant's Attorney at the telephone number indicated below.

Please charge our deposit account 16-1350 any additional fees necessitated by this amendment. If an extension of term is deemed to be required, please consider this a petition therefor, and an authorization to charge the deposit account 16-1350 for the extension fee.

Respectfully submitted,

 5/30/01
Paul Weinstein (Reg. No. 25,382) Date

PERMAN & GREEN, LLP

425 Post Road

Fairfield, CT 06430

(203) 259-1800